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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/904,427 | 07/12/2001 | Irving Tiss | DES-L 3.0-009 | 3557 |
| 530 | 7590 | 12/29/2003 | EXAMINER | |
| LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090 | | | VANATTA, AMY B | |
| | | ART UNIT | PAPER NUMBER | |
| | | 3765 | 7 | |
| DATE MAILED: 12/29/2003 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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EXAMINER

ART UNIT PAPER

7

DATE MAILED:

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Commissioner for Patents

Notice of Non-responsive Reply (see attached action)

Amy B. Vanatta
Primary Examiner
Art Unit: 3765

Notice of Non-Responsive Reply

1. The reply filed on 10/10/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant failed to make a proper Election of Species. Specifically, the Election of Species requirement was a three way election of species and applicant was required to elect one from *each* of the three categories of species set forth in the action (as noted on page 2, second paragraph, just before the listing of generic claims). Thus, applicant must elect one of the species of the collar protector design (i.e. elect the collar protector design shown in either Fig. 1, Fig. 8, or Fig. 20); **and** one of the species of attachment assembly (i.e. elect the attachment assembly shown in either Figs. 1 & 8, Fig. 13, or Fig. 15); **and** one of the species of holding members (i.e. elect the holding members shown in either Figs. 1 & 8, Fig. 17, Fig. 18, Fig. 19, or Fig. 20).

Applicant must provide a listing of each claim which reads on ***all three*** elected species.

2. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Art Unit: 3765

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy B. Vanatta whose telephone number is (703) 308-2939. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (703) 305-1025. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.



Amy B. Vanatta
Primary Examiner
Art Unit 3765

abv
December 22, 2003